

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA;**

**Plaintiff,**

**vs.**

**DANNY V. DOWDING,**

**Defendant.**

**4:24CV3161**

**ORDER TO SHOW CAUSE**

This matter comes before the court after a review of the docket and pursuant to NECivR [41.2](#), which states in relevant part: “At any time, after appropriate notice, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

Plaintiff commenced this action on September 6, 2024. ([Filing No. 1](#)). On December 4, 2024, Plaintiff filed summons returns purporting to show the defendant was personally served at his usual place of abode on November 12, 2024. ([Filing No. 6](#)). On December 30, 2024, Plaintiff filed a motion for clerk’s entry of default under Rule 55(a) of the Federal Rules of Civil Procedure ([Filing No. 7](#); [Filing No. 8](#)) and the Clerk of Court entered default against the defendant on the same date ([Filing No. 9](#)). However, since that date Plaintiff has taken no further action in this case. Plaintiff has a duty to prosecute the case and may, for example, seek default judgment in accordance with the applicable rules, see NECivR [55.1\(c\)](#); Fed. R. Civ. P. 55(b), voluntarily dismiss this case, or take other action as appropriate. Under the circumstances, Plaintiff must make a showing of good cause for failure to prosecute or this action will be dismissed. Accordingly,

**IT IS ORDERED:** On or before **May 1, 2025**, Plaintiff must show cause why this case should not be dismissed for failure to prosecute or take some other appropriate action.

Dated this 3<sup>rd</sup> day of April 3, 2025.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge